

SENATE BILL NO. 260

INTRODUCED BY J. SHOCKLEY

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A BILL FOR AN ACT ENTITLED: "AN ACT MAKING IT A FELONY OFFENSE FOR A PERSON WHO IS NOT A UNITED STATES CITIZEN TO REGISTER TO VOTE OR TO VOTE IN AN ELECTION; PROVIDING A PENALTY; AND AMENDING SECTION 13-1-111, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Alien registering to vote as felony offense -- penalty. An individual who is not a citizen of the United States who knowingly registers to vote in an election in this state is guilty of a felony offense and upon conviction shall be punished as provided by law.

Section 2. Section 13-1-111, MCA, is amended to read:

"13-1-111. Qualifications of voter. (1) ~~No person may be entitled to vote at elections unless he has the following qualifications~~ An individual may not vote unless the individual:

(a) ~~He must be~~ is registered as required by law;

(b) ~~He must be~~ is 18 years of age or older;

(c) ~~He must be~~ is a resident of the state of Montana and of the county in which ~~he~~ the individual offers to vote for at least 30 days; and

(d) ~~He must be~~ is a citizen of the United States.

(2) ~~No person~~ An individual convicted of a felony ~~has the right to~~ may not vote while ~~he~~ the individual is serving a sentence in a penal institution.

(3) ~~No person~~ An individual adjudicated to be of unsound mind ~~has the right to~~ may not vote, unless ~~he~~ the individual has been restored to capacity as provided by law.

(4) An individual violating subsection (1)(d) is guilty of a felony and upon conviction shall be punished as provided by law."

NEW SECTION. Section 3. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 13, chapter 2, part 2, and the provisions of Title 13, chapter 2, part 2, apply to [section 1].

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